

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DEVON K. ADDONIZIO, individually and as parents and natural guardians for minor baby Plaintiff C.M., her daughter,

Plaintiffs,

v.

SIMPLY THICK, LLC, THERMO PAC, LLC, AMERIQUAL GROUP, LLC, and H. J. HEINZ COMPANY,

Defendants.

Case No.: 12-cv-4448 (CM) (FM)

ECF CASE

**STIPULATION OF DISMISSAL
WITHOUT PREJUDICE**

Pursuant to Rules 41(a)(1)(ii) and 41(c) of the Federal Rules of Civil Procedure, it is hereby STIPULATED AND AGREED, by and between the undersigned, that:

1. Thermo Pac, LLC's Third Party Complaint against H. J. Heinz Company is DISMISSED WITHOUT PREJUDICE;
2. Ameriqual Group, LLC's Third Party Complaint against H. J. Heinz Company is DISMISSED WITHOUT PREJUDICE;
3. Simply Thick, LLC's Cross-Claims against Thermo Pac, LLC, Ameriqual Group, LLC, and H. J. Heinz Company are DISMISSED WITHOUT PREJUDICE;
4. H. J. Heinz Company's Counterclaim against Thermo Pac, LLC is DISMISSED WITHOUT PREJUDICE.

SO STIPULATED.

Dated June 10, 2014

/s/ Wendy R. Fleishman

Wendy R. Fleishman (WF 3017)
Paulina Do Amaral (PD 6091)
Daniel R. Leathers
Lieff, Cabraser, Heimann & Bernstein, LLP
250 Hudson Street, 8th Floor
New York, NY 10013-1413
Ph: 212-355-9500
Fax: 212-355-9592

Counsel for Plaintiffs

/s/ Andrew Scholz

Andrew Scholz
GOLDBERG SEGALLA LLP
11 White Plains, NY 10606
-and-
Glen Amundsen
Gary Zhao
SMITH AMUNDSEN LLP
150 N. Michigan Avenue, Suite 3300
Chicago, IL 60601

Counsel for Defendant Thermo Pac, LLC

/s/ Michael Scott

Michael Scott
Rachel B. Weil
Rachel Anna Postman
REED SMITH LLP
1717 Arch Street
Philadelphia, PA 19103
-and-
599 Lexington Avenue
New York, NY 10022

Counsel for Third Party Defendant H.J. Heinz Co.

/s/ Ugo Colella

Ugo Colella
Riccardo DeBari
THOMPSON HINE LLP
335 Madison Avenue, 12th Fl.
New York, NY 10017
-and-
1919 M. Street, N.W.
Washington DC 20036-3537

Counsel for Defendant AmeriQual Group LLC

/s/ Christopher T. Lee

Christopher T. Lee
DICKIE MCCAMEY & CHILCOTE, PC
Two PPG Place, Suite 400
Pittsburgh, PA 15222
-and-
Michael J. Tricarico
CARROLL, MCNULTY & KULL
570 Lexington Avenue, 8th Floor
New York, NY 10022
Ph: 212-252-0004

Counsel for Defendant Simply Thick LLC